

Hawaiian Gazette.

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HONOLULU.

TUESDAY MAY 22, 1906.

WHOLE NO. 2489.

BOTH HOUSES DO HARD WORK UPON APPROPRIATIONS

Senate Cuts Out St. Louis Building and Increases Item for Advertising.

Both Houses of the Legislature worked on appropriations yesterday, the Senate considering the six months current expenses and the House taking up the emergency measure and the unpaid bills bill.

The House spent several hours on the Isaac Noar claim, and had a fight over the Hackfeld wharf on hand when adjournment finally was taken. The opening of its session was signalized by the formal and expected declaration of Speaker Beckley that he could not recognize the Wednesday session, and the consequent throwing out of the journal of that day.

The sessions today are expected to close up the two bills under consideration.

IN THE HOUSE.

The operations began with the reading of the minutes of Saturday which were approved as read. The minutes of the Wednesday session were read both in English and Hawaiian and immediately upon the conclusion Fernandez rose to declare against the placing of his name on the roll of the House as being present, saying that he had objected and that to include him was a fraud. Pa'e made the same objection and then Aylett moved to reject the minutes. Harris moved to accept the minutes and Chillingworth seconded.

Kumalae said that he would second the motion to reject, as he had made the motion to adjourn and unless he could be apprised of the rules he would protest against such meeting.

BECKLEY ON THE LAW.

After some little discussion Speaker Beckley, usually so conservative and thoughtful in his utterances, took the floor and proceeded to dispose of the law and the Organic Act something like the following:

"The chair refused to recognize the journal of a session of yesterday and holds that there was no such session legally. This is done under rule 53 of this House. As the resolution to adjourn specified 10 o'clock this morning the Vice-Speaker had no authority, the only way in which he could claim it being by impleation. This is not made by way of reflection upon the Vice-Speaker who has explained that he took this action upon the suggestion of the Governor. The Governor did not call my attention to any such alleged illegality and the Assistant Attorney-General has promised to submit to this House a certified copy of his opinion sustaining the action of the House."

MORE FOR SCHOOLS.

A communication from Superintendent of Public Instruction Atkinson asking that his item for incidentals be increased to \$150 from \$100 was tabled for consideration with the Emergency appropriation bill.

The six months' salary bill was received from the Senate and passed first reading.

WHY PUMPS STOPPED.

Speaker Beckley then said that unless there was objection he would direct the clerk to ask the Superintendent of Public Works for the list of firemen of the pumping stations; if they have gone on strike because they have not received their pay, or whether or not the Superintendent shut down the pumps to try and compel the Legislature to make appropriate.

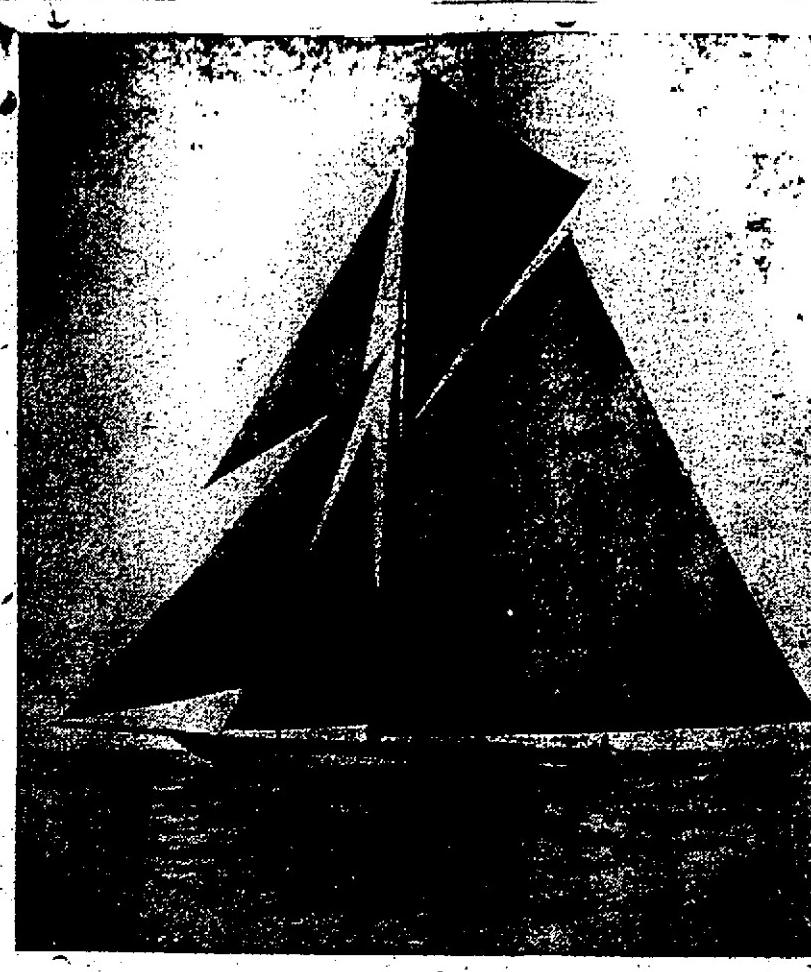
Mr. Harris said he would go on record as opposed to this form of question, as it branded the men as strikers. He would favor asking why the pumps were stopped but he thought that was as far as a proper query should go, supplementing this with the statement that the men had not been paid for four months. The Speaker accepted the amended form of question.

FIGHT OVER NOAR CLAIM.

The third reading of the Emergency bill came up, but before it had been finished was suspended for the reading of the report of the Judiciary Committee on the Isaac Noar petition for reimbursement for the loss of land by the widening of Fort street. The committee recommended payment in the sum of \$147.50 as recommended by the Public Land Committee.

Vide the report on the ground that many natives lost their homes and were compelled to give up their property at the rate of twenty-five cents a foot while this would make \$1.50 a foot.

There was long discussion over the matter, every one taking part and there being several good things brought out. For instance Fernandez vociferated,



The Old Cup Defender "Columbia."

BROWN WAS NOT TO BLAME STAND IN LINE FOR LABORERS

Shortage of Water Builders To Send Statement To Cooper. Sargent.

Supt. H. E. Cooper says that some of the comments made in the afternoon press on the shutting off of the water pumps, do Andrew Brown an injustice. In talking of the matter last evening, Supt. Cooper said:

"Six or seven weeks ago Mr. Brown called my attention to the fact that the appropriation was fast decreasing and that, in order to pay for coal we had just bought, it would not be pos-

sible to run the pumps to the end of the period without a new appropriation.

I at once gave this information to committees of the Senate and House, stating the amount required to carry the bureau through on this particular item. An item was inserted in the emergency bill during the regular session; at least I was so informed by the committee. The item was again inserted in the emergency appropriation bill for the extra session. Neither Mr. Brown nor myself have any right to incur obligations beyond the limit of the ap-

portionment and we have been working every expedient to carry our plants along until the passage of the emergency bill. We had not been able to pay the extra engineer at Palama, nor the firemen and oilers generally nor other employees for both plants not specifically provided for by the general appropriation bill for the past six weeks.

"During the shortage of money Mr. Brown has been oftentimes doing double duty; in fact he has even stood watches at the pumping station. Often by his foresight and good judgment he has saved the city from a water shortage at critical periods. I consider him one of the most efficient heads of bureaus in my department and I have absolute confidence in his judgment. The fact is, though I came down town very early this morning, Mr. Brown had taken steps to get the pumps going without instructions from me. I got word to him early saying his payroll would be met and he need not worry. The men have now been paid and the passage of the emergency appropriation bill assures them of regular payments hereafter."

There was much excitement in town yesterday when, as announced in the Advertiser, the water supply began to give out. Opinion was divided as to blame between the Legislature and the water bureau and some of the comment

was severe. Later, as related above,

the pumps were started again. Supt.

KUMALAE LOSES FIGHT.

Kumalae reported that the assessment had been \$1.50 but it was reduced to \$1.25 though the assessor thought \$1.50 a fair valuation for the land.

The motion to defer action brought out only five ayes, but the motion to amend by placing the value of the land taken at \$1 a foot was carried twelve to eleven, and the report was then adopted.

NO MONEY FOR POLICE.

Mr. Chillingworth presented an amendment providing for \$3,000 for the Attorney-General's incidentals instead of \$1,200, but the House would not permit it.

The request of the school department for \$1,500 instead of \$1,000 was granted and the Isaac Noar claim put into the bill at \$977, these changes making the measure carry \$284,983.75, at which it passed with twenty-six ayes and one no.

UNPAID BILLS CONSIDERED.

On motion of Mr. Harris the Unpaid Bills measure was taken up, the report upon it at the regular session being read, after a long search for it. On motion of Vida the report was tabled for consideration with the bill and the House went into committee of the whole on the bill.

The consideration of the bill went on swimmingly until the item \$321 for First Circuit Court came up and this was referred to the Judiciary Committee. Immediately the House got busy again and passed the other items under the department, in some instances giving much more on the same showing.

The reading proceeded through the Treasury department without change until it came to a new item offered by Wright, "W. J. Wright & Co., legal services, \$80." Chairman Harris ruled this out as there was no voucher. The Treasury bills then passed.

STRUGGLE OVER ROADS.

Under the Department of Public Works the items proceeded easily until that of Kaumana road to Olaa flume, \$2,581, to Olaa Sugar Co., was reached. The committee had reported against this item, which caused Fernandez to object, saying the Hawaii men had not been consulted, moving that the item be recommitted so that the Hawaii men might be heard.

Pali, from Maui, urged the striking out of the item and this excited Fernandez who declared that Hawaii must be consulted before items for that island are passed out of the bills. Purdy made a plea for the item saying that the road was necessary even if built by a sugar company.

Kumalae moved to refer to a special committee but this was lost and then the item passed as in the bill.

The Pilihonua road item, \$5,000, to the Hawaii Mill Co., was referred to a special committee consisting of Lewis, Palil and Long.

Taking up the Hamakua forest fire items they were cut in half according to the report of the committee. The dredging of Honolulu Harbor was passed at \$3,887.98. The items for Waialuku road roller, \$5,525, were stricken out, on the basis that there is now an appropriation for the subject.

HACKFELD WHARF ORATORY.

The Hackfeld wharf was taken up with a rush, the first motion being to pass it at \$108,804.22. This is the committee's bill as Expert Onderkirk arranged it, the items being made up as follows: Materials, \$75,801; labor, \$22,

(Continued on page 8.)

RELIANCE WINS OVER COLUMBIA BY 13 MINUTES

Kansas Towns Visited By Disastrous Cyclones--Three In One Day Afflict Sedalia.

(ASSOCIATED PRESS CABLEGRAMS.)

NEW YORK, May 21.—The Reliance, the new cup-defender, defeated her predecessor, the Columbia, today by thirteen minutes.

The success of the Reliance in her first actual trial against the Columbia under racing conditions on Long Island Sound augurs well for America's prospects in the coming cup race. This showing is a much better one than the Shamrock III has so far been able to make against the old Shamrock, which suffered defeat at the hands of the Columbia.

The Reliance is a decided departure on the part of Herreshoff from his other cup defenders and is an excellent example of the American flat-bottomed, fin-keeled boats. She is not such an extreme skimming keeled dish as was the Independence, but she nevertheless resembles the Crowninshield boat more than she does any of her predecessors built here.

Her lines are easy, with few hard places and a graceful, sweeping curve from the bilges into the garboards. Her stern is flat, so she will leave but little wake, while her bow, although not quite so broad and flat as that of the Independence, is still different from the bow of either the Constitution or the Columbia. She has a long keel, but owing to her good beam does not carry so much lead in the bulb as the other cup defenders. Her bow towards the end is quite sharp, while her taffrail measures scarcely eight feet. Her greatest beam is well up in the shoulders and is carried aft many feet. At the water line forward she is curved like the inside of a saucer. It is believed that her strongest point of sailing will be with started sheets in a comparatively smooth sea. She is also likely to go fast down the wind, her long keel holding her well on her course. Her weakest point will be on the wind and flattened sheets, a point on which Shamrock III is said to be fast. The boat, with her easy lines and her tremendous sails spread out over 15,000 square feet, will be easily driven. It seemed the unanimous opinion of those yachtsmen who saw her today that she would prove the fastest vessel ever built.

DISASTROUS CYCLONES VISIT KANSAS TOWNS

ASHLAND, Kansas, May 21.—Immense damage has been done here and elsewhere in the State by cyclones. Salina was thrice visited in twenty-four hours and two persons were killed.

Elected Moderator.

LOS ANGELES, May 21.—Robert Coyle of Denver has been elected moderator of the Presbyterian General Assembly.

Fears of Turtle Mountain.

FRANK, N. W. T., May 21.—A big crevasse is forming on Turtle mountain and the neighborhood is being evacuated.

Money Instead of Land.

BERKELEY, May 21.—Jennie Flood intends to give the University \$150,000 in lieu of the Menlo Park property.

A Costly Free Delivery.

WASHINGTON, May 21.—The extension of rural free delivery has been suspended owing to a deficiency.

Denver's Strike Off.

DENVER, May 21.—The strike has been settled by a policy of mutual concession.

SAN FRANCISCO, Cal., May 21.—The Atholl, the first steamer of the new China Commercial line, arrived today.

MANILA, P. I., May 21.—Commissioner Dean C. Worcester has been granted a leave of absence from the Philippines. He will probably make a trip to the States.

PORTLAND, Oregon, May 21.—President Roosevelt arrived in Portland today. The reception given the Chief Executive was one of the most enthusiastic he has received in the West.

S. C. ALLEN LEFT AN ESTATE OF OVER \$2,000,000

His Adopted Son George Is Cut Off With the Sum of One Dollar.

(From Wednesday's Daily.)

The will of the late Samuel C. Allen, providing for the division of an estate of over two and a quarter million dollars, was filed for probate yesterday. The bulk of the estate, after numerous small bequests are made to charity, relatives and employes, is left to the widow. The adopted son, George C. Allen, now said to be in Seattle, is cut off without a dollar, and the testator makes no concealment of his reasons for disinheriting him.

The will is dated September 5, 1900, and is witnessed by George H. Robertson, E. A. R. Ross, and William A. Kinney. The widow, Bathsheba M. Allen, petitions for the probate of the will, and asks that letters of administration be issued to herself, J. O. Carter, M. P. Robinson and Paul Muhendorf, as named in the will.

The estate is said to consist of real estate on the Island of Oahu, and consisting chiefly of residence and business property in Honolulu, and valued at \$122,000, and "personal estate," consisting chiefly of sugar plantation stocks and bonds, railway stocks and bonds, and notes and mortgages, and valued at \$2,140,000."

The will, in referring to the legatees, provides always that they must survive the testator.

The petition for probate was presented to Judge De Bolt, in the absence of Judge Gear, and the court ordered publication of notice for probate of the will.

The following are the provisions of the will:

S. C. ALLEN'S WILL.

This is the last Will and Testament of me, Samuel Clesson Allen of Honolulu, Island of Oahu, Hawaiian Islands.

I give and bequeath to the children of Mrs. Victoria Ward my wife's sister (except my adopted daughter Victoria Kathleen Allen) the sum of twelve hundred dollars (\$1,200) to be divided among them as follows. To Kulamalu my employee should he survive me the sum of one thousand dollars (\$1,000) for faithful services rendered.

Muhendorf my employee should he survive me the sum of one thousand dollars (\$1,000) for faithful services rendered.

16. I give and bequeath to Samuel Dwight my employee should he survive me the sum of two hundred dollars (\$200).

(\$200) for faithful services rendered.

17. I give and bequeath to Hiram Kolomoku my employee should he survive me the sum of one hundred dollars (\$100) for faithful services rendered.

18. I give and bequeath to Robert Fuller my employee should he survive me the sum of one hundred dollars (\$100) for faithful services rendered.

19. I give and bequeath to Kaholwal my employee should he survive me the sum of one hundred dollars (\$100) for faithful services rendered.

20. I give and bequeath to Edmund Le Gros my employee should he survive me the sum of one hundred dollars (\$100) for faithful services rendered.

21. I give and bequeath to Mary Le Gros, daughter of Edmund Le Gros, should she survive me the sum of one hundred dollars (\$100).

22. I give and bequeath to Samuel William Spencer my employee should he survive me and be in my employ at the time of my death the sum of one hundred dollars (\$100) for faithful services rendered.

23. I give and bequeath to each of the Hawaiians and part Hawaiians employed in my Lumber business at the time of my death who shall have been so employed for four consecutive years next preceding that time the sum of twenty-five dollars (\$25).

24. I give and bequeath to each of the Chinese house servants in my employ at the time of my death who shall have been so employed for four consecutive years next preceding that time the sum of fifty dollars (\$50).

25. I give and bequeath to the Kawaiahae Seminary for Girls in Honolulu the sum of two hundred and fifty dollars (\$250).

26. I give and bequeath to the St. Andrews Priory in Honolulu the sum of two hundred and fifty dollars (\$250).

27. I give and bequeath to the school of the Sisters of the Sacred Heart in Honolulu the sum of two hundred and fifty dollars (\$250).

28. I give and bequeath to Queen's Hospital in Honolulu the sum of two hundred and fifty dollars (\$250).

29. I give and bequeath to my cousin William F. Allen of Honolulu should he survive me the sum of five hundred dollars (\$500) as a mark of esteem.

30. I give and bequeath to my personal friend Joseph O. Carter of Honolulu should he survive me the sum of five hundred dollars (\$500).

31. I give and bequeath to the Hawaiian Relief Society of Honolulu if it be in existence at the time of my death the sum of two hundred and fifty dollars (\$250).

32. I give and bequeath to my adopted daughter Victoria Kathleen Allen (born Victoria Kathleen Ward) should she survive me the sum of five hundred dollars (\$500).

33. I give and bequeath to my cousin Ella Coads of the town of Alameda, State of California, United States of America if living at the time of my death the sum of two thousand dollars (\$2,000).

34. I give and bequeath to John Appleton son of my cousin Frederick H. Appleton of Bangor, Maine, United States of America, should he survive me the sum of five hundred dollars (\$500).

35. I give and bequeath to each of the three children of Samuel Mahina late of Honolulu deceased my former employee who shall survive me the sum of one hundred dollars (\$100).

36. I give and bequeath to each of the children of Hiram Kolomoku my employee who shall survive me the sum of one hundred dollars (\$100).

37. I give and bequeath to Mike Pebecca Thompson of Honolulu, cousin of my wife should she survive me the sum of two hundred and fifty dollars (\$250).

38. I give and bequeath to Miles Hannah Tait (Tait) of Honolulu, cousin of my wife should she survive me the sum of two hundred and fifty dollars (\$250).

39. I give and bequeath to Paul

SENATE DENOUNCES HOUSE PRINTING STEAL

Nevertheless It Allows the Representatives Enough Money to Meet the Shady Contract.

(From Wednesday's Daily.)

The Senate yesterday passed the House expense bill at \$18,000 after first putting itself on record as opposed to the extravagances of that body. The report of the committee was an exceedingly mild one, but even that was sufficient to show up the abuses indulged in by the House, and the discussion that followed was particularly severe upon the House method of awarding a contract for \$7500 which the records of the Senate showed could have been obtained at less than half that amount.

REPORT OF COMMITTEE.

The following is the report submitted by Senator Baldwin for the committee:

Honolulu, T. H., May 19, 1903.
Honorable C. L. Crabbe, President of the Senate.

Sir: Your Committee on Ways and Means, to whom was referred House Bill No. 1, appropriating \$20,000 for the expenses of the House for this special session, beg leave to report that we have had the same under careful consideration.

We find on investigation, that the probable expenses of the House for a fifty-six day session, will be as follows.

Salaries of the Representatives: \$6,000

Expenses of the House at \$54 per day 3,024

Printing the Journal of the regular and special sessions in book form, 200 copies in English and 300 in Hawaiian, including translation 7,500

Incidentals 1,500

Total \$18,024

The secretary of the House states that he asked for bids for publishing the journal. For some reason unknown to your committee, the Bulletin Publishing Co. was the only publishing house that put in a bid, which was at \$7500 for printing the journal of the House is too much. When we get bids at \$1.38 per page, why should the House will need some more?"

"We can put in another bill," suggested Senator Cecil Brown.

"Yes but they won't pass it," said McCandless.

Senator Dickey moved to lay the report on the table to be considered with the bill. "I don't agree with the committee entirely," he said, "one item of \$7500 for printing the journal of the House is too much. When we get bids at \$1.38 per page, why should the House do it, that is all."

NO SHOW FOR SENATE.

Senator Baldwin replied that he didn't see any need himself of sitting for fifty-six days but that was how long it took the last legislature to act, and he was making an outside allowance.

"If you allow the House that much," remarked Ach, "I think the Senate will need some more."

"We can put in another bill," suggested Senator Cecil Brown.

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TOO MUCH FOR PRINTING.

"I regret very much that amount for printing," said Baldwin, "but we can do anything with the House contracts. I will say that I had the report written some time back, shortly after the bill was referred to this committee, but I have been holding it to find out more definitely what the House wanted. I don't believe the Senate was as liberally disposed at that time. I hardly think it right for the House to ask for more than double what the Senate wants. I expected that their expenses would be double ours and when in the regular session we asked \$20,000 and they asked \$40,000 I had no objection. But here we ask \$5,000 and they want four times that amount. The Republican party in the Senate doesn't think they should be asking more than double what is spent here."

(Continued on Page 6.)

ODD FELLOWS OPEN BOX TAKEN FROM CORNER STONE

(From Wednesday's Daily.)

After ceremonies incident to the initiation of new members the lead box which, since April 26, 1859, had reposed in the cornerstone of the Odd Fellows building, on Fort street, was opened by the officials of Excelsior lodge in the presence of a large attendance of the members.

It was an impressive ceremony, although the men gathered about the depository were of the younger generation, some of them the sons of those whose names were included in lists deposited in the box. Everything was found to be intact and in excellent preservation.

The first thing taken from the box, once its walls had been cut open by Noble Grand Petrie, was the Bible which had been presented for the occasion by S. C. Damon. The book was undimmed by age, and was in excellent shape.

Following this was the poster announcing the ceremonies incident to the laying of the corner stone. The program of the exercises was given and the history of the ceremony was complete.

A card containing the ode which was sung on the occasion followed, and with this was the booklet containing the by-laws and rules of the lodge, as well as a second book with the by-laws of the Polynesian encampment.

The Commercial Register of Hawaii with a Commercial Calendar were next brought out, as were clippings from the Commercial Advertiser and Polynesian, containing the custom house statistics and those of the port for the years from 1843 to 1859.

A copy of the Commercial Advertiser of date April 21, 1859, was the next find, and many of the best known names in the history of the Islands were read from it. Copies of the Friend and the Polynesian were in the box, as well as a copy of the Volcano Supplement of the Commercial Advertiser, which had a complete history of the volcanoes and the story of the eruption of the volcano of Mauna Loa. There was also a copy of Kabae Hawaii.

The address of B. F. Durham, the Noble Grand on the occasion of the laying of the cornerstone, came next, followed by a copy of the original dispensation under which the lodge worked.

Lists of the officers of the Excelsior lodge and the Polynesian encampment were uncovered, with the former being a statement that there were 160 members of the lodge at the time. A history of the lodge was included, as well as a statement of the finances, and the contributions which led up to the building fund, and its size and the conditions surrounding it.

A most interesting relic was a sheet containing two notes for \$3 and \$5, being the first paper money issued in Hawaii, at Koloa Plantation, Kauai, by Ladd & Co. The last thing found was a volume containing the proceedings of the Grand Lodge of America, held in Baltimore, in September, 1858.

All of the relics were carefully kept together and will be preserved in the archives of the lodge.

(Continued on page 6.)

GUY LANDERS IS CHARGED WITH A GRAVE OFFENCE

Arrested in Billings, Montana, for Honolulu Bank Forgeries—Particulars Unknown Here.

(ASSOCIATED PRESS CABLEGRAMS.)

BILLINGS, Mont., May 20.—Guy Landers has been arrested here for Honolulu bank forgeries.

Inquiries were made last night of men connected with two local banks concerning the above dispatch, but none of them had any recollection of the person referred to. There is not a "Landers" in the City Directory. The San Francisco Directory reveals several persons named Landers, but none of them have the Christian name "Guy." It is possible that the forger secured blank checks of Honolulu banks, filled them out, and while endeavoring to pass them, was arrested.

THE POPE SUSTAINS THE PHILIPPINE FRIARS

SAN FRANCISCO, May 20.—Father Coleman, the army chaplain, who has been negotiating with the Pope over the Friar question, is now en route to the Philippines. The Friars are to continue in control of the University there and the Pope has not directed their expulsion from other work. The Friars will also keep the large areas of public lands which they now possess, as the Pope believes that the feeling towards them in the Philippines has improved to such an extent that this is allowable.

Chaplain Coleman, who has been conducting these negotiations, was once in Honolulu and is quite well known here.

EPIDEMICS PREVAILING AT THREE NAVAL STATIONS

NEWPORT, May 20.—Measles and diphtheria are prevalent at the naval training station here.

There seems to be an unusual amount of sickness at naval stations. Scarlet fever was lately reported as prevalent at the Brooklyn yard, and spinal meningitis in an epidemic form at League Island, Philadelphia.

The Truth Is Unofficial.

WASHINGTON, May 20.—The powers having filed objections to Minister Bowen's foot notes to the Venezuelan Blue Book, they have been informed that the document is unofficial.

Big Fire in Canada.

ST. HYACINTHE, Quebec, May 20.—A fire broke out in factories here, destroying them and 250 houses. The loss is \$500,000.

Harriman Doing Well.

NEW YORK, May 20.—President Harriman, of the Southern Pacific, is recovering from the shock of the surgical operation.

Russians Making Ready.

PEKING, May 20.—Despite the denials, there is a constant flow of Russian war materials to the Yalu river.

Roosevelt in Oregon.

ASHLAND, Oregon, May 20.—President Roosevelt passed through here on his way north.

Albanian Chiefs Taken.

MITROVITZA, May 20.—The principal Albanian chiefs have been captured.

Sunstrokes Numerous.

NEW YORK, May 20.—Deaths from heat are reported from several states.

MANILA, P. L., May 20.—The Philippine Commission have enacted a law to prevent defalcations in the public service. The penalties are made very severe.

REDDING, Cal., May 20.—The Presidential train reached Redding today. After a short stay here, the President proceeded to Sisson and across the state line into Oregon this evening.

NEW YORK, N. Y., May 20.—E. H. Harriman, head of the Southern Pacific system, was operated on for appendicitis today. The operation was entirely successful and the patient is resting easily.

SALONICA, May 20.—The brutal work of Turkish soldiers is adding to the bitterness of the strife. It is claimed that the Turks, not satisfied with a general slaughter, are mutilating the bodies of their Bulgarian victims.

CHICAGO, May 20.—Porter Brothers, the fruit dealers, have failed. The amount of the company's liabilities is not known, but it is believed will involve millions of dollars. A receiver has been appointed to handle the concern's affairs.

NORRIS IS NOT NOW IN THE MARKET

Big Kau Ranch Withdrawn by Owner.

Kahuku Ranch, the home of Col. Samuel Norris, in Kau, is not for sale. After being advertised all over the United States as the ideal ranch of the country, after it has been viewed by many would-be purchasers, the great estate with its 188,000 acres and its 6,000 head of cattle, which roam over its broad acres and wide lava patches, has been formally and entirely withdrawn from sale, the statement of the Colonel in his letter making the announcement, being tersely: "Kahuku is not for sale." It is understood the reason for this is that there have been too many callers to look over the ranch.

There is a romance in the Norris ranch and its many visitors and their experiences with the aged and peculiar man whose home it has been for many years. Col. Norris is nothing if not self contained and he not only holds onto what he has but does so in a way which has not endeared him to the neighbors or those who would do business with him. It is told of him that when a cattle purchaser visited the Kahuku Ranch for the purpose of buying stock, the dealer indicated the cattle that he wanted, to be met by the Colonel with the emphatic declaration that he would take just what were offered to him or none and upon protest being made the dealer was driven off the ranch without any cattle to show for his visit. It is presumed the visitors on purchase bent have similarly tried his nerves.

The ranch has been in the hands of Morgan for sale for a long time, and the very fact that Col. Norris was willing to consider an offer becoming known meant that he was surrounded by agents and would-be purchasers,

and deluged as well by mail from those who wished to get a chance to offer the ranch.

Finally the visits of those who wished to see the property became too frequent for the Colonel, and he decided that he would withdraw the ranch from the market and as well take himself out of the ranks of those who might be invaded by lookers over at any time.

The ranch is a really great stretch of country, similar in many respects to the Olaa country of the other side of the island, and it is much sought now for its good pasture. It is said that the difference between Col. Norris and would-be buyers has been to put it in a nutshell, that the seekers wanted to buy the cattle and have the ranch thrown in, while the Colonel wants to sell the ranch and throw in the cattle. It is thought that Col. Norris will stick to his decision to keep out of the market for some time now.

THE TEST THAT TELLS

You Can Get All the Convincing Proof You Want by Reading Honolulu Papers.

When the reader wants any article of value he naturally prefers to deal with some one he can depend upon.

If mixed up in any law suit, a good responsible lawyer is generally the first necessity sought.

If lost on a prairie, directions from a settler could be relied upon; those from a stranger would be doubted.

The test that tells the tale of merit is the test of friends and neighbors.

Honolulu people endorse Doan's Backache Kidney Pills.

Can you ask for better evidence?

Read this case:

Mr. James C. Stevens, of this city, informs us: "I was troubled with an ache in the small of my back for a long time, and such was the condition of things until I tried some of Doan's Backache Kidney Pills, which I obtained at the Hollister Drug Co.'s store. A short treatment gave me the desired relief, and I am satisfied that they are a good remedy for backache and deserve to be recommended."

Mr. Stevens is one of our own citizens. Is not such testimony stronger than that of someone living in the States?"

Doan's Backache Kidney Pills are sold by all chemists and store keepers at 50 cents per box, six boxes \$2.50, or will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

Everybody knows that Admiral Dewey is as fine a sailor as ever sailed the weather plank, but not many are aware that the hero of Manila bay is also a clever whip. The admiral owns a pair of the most spirited horses in Washington and he handles them with the skill of a veteran stage driver.

Milton M. Fisher, whose death in the town of Medway, Mass., at the great age of 92 is chronicled, claimed, and probably with truth, to be the oldest living man who had identified himself with the Garrison movement for the abolition of slavery. He welcomed it when it appeared, was an attendant of its early meetings and always shared in its abhorrence of the "peculiar institution," but he differed from its general policy as regards political action, being an earnest member of the Free Soil and Republican parties successively.

The Senate goes ahead

REHEARING IS REFUSED

The Appropriation Bill Nearly Passed.

(From Wednesday's Daily.)

The Senate practically finished consideration of the six months appropriation bill on second reading yesterday, and will pass it Thursday after receiving reports of committees upon various items.

Not a great many changes were made in the bill as it came from the House, though there were some reductions and a few increases to correspond with the action taken by the Senate in regular session.

A number of new items were inserted and among them was the one for \$300 advanced by the merchants for inspectors. A number of other items killed in the House were also inserted, and will very likely be lots of work for the conference committee.

Senator Kaohi presented a petition from Dr. J. Atchery of South Kohala for an increase in salary. It was transmitted with a letter from Secretary Charlton of the Board of Health.

THE APPROPRIATION BILL.

The House bill for six months current expenses was taken up on second reading.

An item of \$750 for incidental government's office was inserted.

President Crabb remarked that there was a mistake of \$8,000 too much in the first page. Dickey replied that it would be much worse when the Senate had finished.

Senator Paris moved to strike out the item of \$10,000 for Gamewell fire alarm system which was lost.

NO MONEY TO BE REFUNDED.

Senator Brown moved to strike out the item of \$776.36 for refund of merchandise license of Hawaiian Fertilizer Co. He argued that the money must be returned as well to Chinese and other merchants in the same box, if a precedent was once established.

Senator McCandless said there were Chinese who had come to him for a refund. Senator Baldwin replied that he would not vote on the matter as an interested party, but it was a just claim. Paris said it was a just claim, but there were similar claims amounting to \$8,000 as well. The item was stricken out.

Senator Baldwin moved to insert an item of \$450 for expenses department stables. He said he supposed it was stricken out because of the story that private horses were fed there, but he argued that the government stables must be taken care of anyway. McCandless said a great many people were feeding their horses at public expense and the idea was to include the horses of all departments in one stable. Baldwin then withdrew his motion.

CUT OUT ELECTRIC LIGHTS.

McCandless moved to increase the item for Honolulu electric lights from \$3,000 to \$6,000. Achi objected to any changes; he said that the government wouldn't do the work anyway, the bill was just so much waste paper, as there was no money. If amendments were made the House wouldn't pass the bill.

McCandless replied that the Senate should stand up for its rights and not accept the dictation of the lower house. The Senate could make changes and he was surprised at Achi's cowardly stand. The item passed as in the bill.

The item of \$5,000 for Puunui and Nuuanu valley electric lights was stricken out.

NO FREE SHOW AT PARK.

Senator Dickey moved to strike out the proviso against charging admittance fee to Kapiolani Park. Carried. Achi then moved to increase the appropriation from \$3,600 to \$6,000 which also carried. An item of \$750 for artesian well and pipe was moved by Isenberg.

ACHI'S WELL FOR SALE.

Achi objected to a well and said \$5,000 were sufficient.

"I think I can explain," said McCandless. "Senator Achi has a well to sell to the Honolulu Park Commission. I don't think there is any objection to his selling the well but he should be willing to guarantee it to do the work."

"I think \$3,000 will build that well," replied Achi. "By golly, I believe there is a nigger in the fence somewhere; \$6,000 is enough."

Isenberg said pipes were needed and the parks were a disgrace. "Just see the beautiful residence grounds around there," said he, "and how sooting they are."

"Pond's Extract is sooting too," interjected Dickey.

"I move that it be made \$5,000," said Achi.

"They can buy your well anyway," suggested Isenberg.

"I don't care if they buy it, \$5,000 is enough."

The item was carried at \$750.

An item of \$250 was inserted for maintenance of government pounds.

On motion of Achi the items of \$1,000 each for repairs Waianae court house and jail were made to read so that the money could be used for new building.

The item expenses sewer pumping station, was increased from \$2,640 to \$6,500; running expenses pumping plant increased from \$11,600 to \$12,500.

The item of \$1,000 for Waianae water works was stricken out. McCandless saying there was nothing down there except plantation works.

NO CHEMICAL FOR WAIMEA.

Senator C. Brown moved that the \$7,120 item of chemical for Waimea, Kauai, be changed to Lihue, the county seat. The item was stricken out.

An item of \$625 was inserted for Aina Park.

Roads and bridges South Hill was reduced from \$7500 to \$2,500. North Kohala \$3,000 to \$5,000, repairs bridges Kauai increased from \$500 to \$3,000. New item of \$3,000 inserted for Pali road.

REHEARING IS REFUSED

Sugar Company to Pay for New Mill.

(From Wednesday's Daily.)

The Supreme Court handed down two decisions yesterday in both cases denying a motion for a rehearing.

SUGAR COMPANY, MUST PAY.

The court denied a new hearing in the appeal of the Hawaiian Commercial and Sugar Co. from the decision of the tax court, and the plantation must pay on its income of about \$220,000. The point at issue was whether money spent for a new mill could be deducted from the income.

The syllabus of the court follows:

"The provisions of the income tax law that 'no deduction shall be made for any amount paid out for new buildings, permanent improvements or betterments made to increase the value of any property or estate,' does not imply that the deduction may be made for all amounts so paid out which do not in fact increase the value of the property."

Twenty-five jurors were brought in yesterday on the open venire and of these but four were left on the panel.

The remainder who were excused, were nearly all opposed to convicting a man for murder on circumstantial evidence.

President Cooper said he favored the purpose of the resolution but suggested that the proceeding would be a rather expensive one and that it would be much better for the examination to be made at the settlement by the medical commission in the presence of the Board of Health upon its annual visit next month. He favored the idea of Dr. Goodhue preparing the list so as to expedite matters when the experts visit the settlement. Dr. Mays accepted the amendment to his resolution which was approved of by all the members of the board.

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FRIDAY : : : : MAY 22

HAWAII AND THE NORTHWEST.

The Pacific Northwest, when connected with Hawaii by a regular steamship line, such as is proposed from Tacoma, ought to become a good customer for this Territory. Last year a consignment of bananas went from Honolulu to Seattle and brought more than double the price in San Francisco. There is a demand in the Northwest for all tropical products which is not subject to so much competition as the demand in San Francisco. It seems probable that Hawaii, if it were given the chance, could control the Northwestern trade in bananas and pineapples. With cold storage facilities it could send on a great many alligator pears and mangoes, fruit which now appears on the bills of fare of the leading hotels on the Eastern seaboard and which has come to be accounted fashionable.

But the trade need not be one-sided. Honolulu knows that certain kinds of merchandise, food for man and beast, can be got cheaper from the Sound country than from San Francisco. Seattle and Tacoma both offer special prices. In too many lines San Francisco rates are too high. Much of the extra cost of living here is purely arbitrary and would succumb to the competition of the Northwest. To secure the greatest good to the greatest number, the more competition there is the better. We should profit not only by a steamship line from the Sound but from Los Angeles.

Incidentally the coming steamship of the Tacoma-Honolulu-San Francisco service would bring us tourists and give local pleasure and health-seekers a chance to make quick connections with Northern scenery and weather. A change from San Francisco in that respect, which would not involve the trouble of going to Canada, a foreign country, would be appreciated.

The will of the late S. C. Allen, which is printed in full elsewhere, is interesting reading. While Mr. Allen left the bulk of his fortune to his wife as became a man who recognized her right to enjoy without material abatement the "worldly goods" all of which were her endowment in the marriage service, he did not forget useful public institutions nor people who had claims upon his good will. The bequests to such institutions and people are not large but they are large enough to show that Mr. Allen took an acquisitive view of his obligations to society. He was careful to give wide powers to his widow so that she, after having her full value from an estate which she helped to accumulate, directly or indirectly, could make large public benefactions if she chose. Eventually a great part of the Allen fortune may, in this manner, find meritorious public uses.

The Cleveland boom is much in evidence, especially in the South. It rests on the proposition that the business interests of the country, dismayed by President Roosevelt's attack on trusts, would range themselves about Cleveland and, by keeping the Democratic campaign treasury full, elect him for a third term. The trusts are strong for Cleveland despite the fact that his last annual message marked out a line of attack upon them which Roosevelt has, in some degree, been following since Cleveland himself is quoted by correspondents as being smiling but reticent on the subject of a renomination—which, if he gets it, will be his fourth. Doubtless he feels the impulse to come out from the audience and once more take the center of the stage, no man in possession of his faculties and health being able to quite reconcile himself to obscurity and neglect.

The printing steel was properly characterized in the Senate yesterday though that body, by agreeing to a House expenditure of \$18,000, let it go by. The steel is an offspring of the House, where most scandals originate and it bears all the ear-marks of a percentage game. As no honest excuse can be made for paying \$2.10 a page for printing which can be got for \$1.38 per page, no excuse is attempted. The House simply falls back upon its alleged right to do as it pleases and lets the public think what it may.

In Kansas, the other day, the President told a crowd that it was Senator Burton who had most to do with getting him to take the Vice-Presidential nomination on the McKinley ticket. The Kansans were duly impressed by this but it is not known how Senator Burton took it. The truth is now out that the whole Vice-Presidential scheme was engineered by President Roosevelt's enemies to make his chances for getting the next nomination less than they would be if he were reelected Governor of New York.

The Republican party of Hawaii is not eager to deprive the Home Rulers of their responsibility for the House. Though the House was elected under the Republican name, the majority in it are Wilcox men and should be made to look to Home Rulers for their next nominations. They certainly have no Republican ideas or principles; not more than two or three in the entire membership. In fact the professedly Home Rule speaker is a better Republican than most of them.

The powers are not likely to make war on Turkey for fear of falling out among themselves afterwards. But if civil war ensued it would not be surprising to see another Congress of Berlin in session and a further dismemberment of the empire. Eventually, by the creation of independent states, the power of the Sultan in Europe may be restricted to the immediate neighborhood of Constantinople.

WHARVES AND HARBOR IMPROVEMENT.

Judged as a matter of public policy, the proposal to spend \$400,000 in building two new wharves and only \$50,000 in dredging the channel and part of the inner port does not appeal to those who have the interests of the city at heart. It is better for Honolulu, just now, to have the entire harbor and all its wharves made accessible to vessels of the largest type than to take a course which would mean the practical reduction of the port, in its power to accommodate first-class ships, to certain designated wharves and the approaches to them.

The tonnage of individual vessels entering this small harbor is growing larger all the time. The giant Oceanic steamers were soon outclassed by the Korea and Siberia; the latter will soon yield their pennants to the Pacific Mail Leviathans, and the Toyo Kisen Kaisha's new ships may match the best. Hill's gigantic freight carriers from the Northwest—the largest vessels in the Pacific—are not unlikely to come here. Indeed, it has developed that the president of the Hill Steamship line was lately in Honolulu for a week, making a quiet study of the local commercial outlook and that he went away pleased and in doubt about nothing except the accommodations of the port. It should be added to this exhibit of actual and probable tonnage, that of visiting battleships here to coal.

Should the larger new vessels, such as Hill's, be unable to do business with Honolulu and do it expeditiously; if they cannot come in and dock whether a few special wharves are occupied or not; in a word, if they cannot make use of the harbor as a whole without delay or annoyance, they will either pass us by or go into Pearl Harbor. Honolulu wants them to do neither. If Pearl Harbor should be chosen as an entrepot for Jim Hill's liners, the damage to Honolulu would be appreciable. This city wants and needs the benefit and all the benefit which visiting tourists would confer; and the Territory wants the revenue from dockage. There is no advantage to us in building up a rival commercial suburb to which, eventually, all the big steamers might go.

The prestige of Honolulu cannot be saved by making it a three or four dock port. It must be understood, if the city is to continue to invite and satisfy commerce, that it can offer facilities that are only circumscribed by the area of the harbor.

This paper does not argue against the building of new wharves by the Territory. They are needed for revenue; but the first consideration, seeing how soon Honolulu will be visited by the greatest vessels in the Pacific, should be to deepen the whole harbor. When that is done the water should be kept at proper depth and the slip system of wharves gradually extended. We are informed that \$100,000 will put the port into shape. If that is so, \$50,000 might fairly be taken from the \$400,000 wharf fund in the appropriation bill and added to the dredging fund. This would leave \$350,000 with which to begin the new dock system and make the harbor wholly accessible.

NO BUILDING.

The action of the Senate, in striking out the word "building" in the World's Fair appropriation, shows that the upper house takes a business-like view of the advertising question. Special State or Territorial structures at World's fairs never attract crowds or ensure wide publicity. They are looked upon as headquarters for people from the localities they represent and are, as a rule, avoided by others. There is so much else to see that people do not bother with them; and they are left, like the last rose of summer, to bloom alone.

Hawaii would be especially to blame for committing the mistake of a building because, after the structure had been paid for and salaries and freights covered, there would not be money enough left in the appropriation to make a creditable display. An exhibit without a building is far better for Hawaii than a building without an exhibit. As the case stands for us, the Exposition people are ready to provide free space for Hawaii in the main buildings, and as the latter catch the crowds, the Territory ought to be satisfied.

The Senate's action in this matter is not determinative as the House has committed itself to a building. But it points to what ought to be the final adjustment.

An amusing comment upon the small farmer comes up from Wahiaawa. When the small farmers of that colony entertained the Farmers' Institute, the question of salad came under consideration, and a telephone message was sent to Honolulu; "Send us some lettuce!"—Star.

What has lettuce got to do with small farming? Lettuce is raised by market-gardeners. Plenty of it is produced here, but mainly by Chinese. If white men at Wahiaawa or elsewhere want to raise it there is nothing in the way. People who sneer at small farming should first find out what it is.

The correspondence clerks of the Judiciary Department may address the Territorial Circuit Judges as "United States Circuit Judges" if they choose, but that does not overrule the Organic Act, which plainly leaves them in the Territorial class. Nor does it give them jurisdiction in any United States cases. Matters involving Federal law go before Judge Estee, the Federal Grand Jury and the United States Commissioner only and Estee is the sole United States judge in the Territory.

The pretense of interpretation often dropped in the House, especially when some Hawaiian speaker says something designed to hold together the native members, regardless of party lines. Kumala is often permitted to carry on some spirited colloquies without the English speaking side of the House being permitted to enjoy the sport.

By the Fourth of July a Honolulu man at midnight should be able to call up San Francisco at 10 p. m. and Maui at 5 a. m. the next day.

When ancient corner-stones are opened in Honolulu two familiar newspapers always turn up—The Friend and the Advertiser.

Seal pears, pineapples pay, bananas pay, vanilla, tobacco and cocoas may be come profitable. Hawaii is a good country for agriculture if the right men get into the right localities.

HONOLULU HARBOUR.

(The Official and Commercial Record.)

The business men of Honolulu should take immediate and active steps to secure from the legislature an appropriation for the deepening of Honolulu Harbor to 36 feet! The new Hill steamers will draw 34 feet when loaded, and two feet of water under a ship's bottom is none too much for a margin of safety.

It is of far greater importance to the business interests of Honolulu that the big steamers should enter the harbor than it is to have them go to any particular wharf.

We have the trade now. It is vastly easier to keep it than to get it back when it is diverted to Pearl Harbor or elsewhere.

Of one thing we can be sure, big ships will not attempt to do business from the roadstead outside of the harbor. The delay would be too great to leave any profit. They will therefore either come inside of the harbor, go to Pearl Harbor as soon as that is opened, or give up the go by altogether.

The Superintendent of Public Works is asking for \$400,000 with which to build two wharves, and only \$50,000 is asked with which to dredge the harbor.

Or what good are wharves if steamers can not get to them?

It will be better to have one wharf that ships can get to, than half a dozen, with a bar and a mud flat between them and the deep sea.

What is needed, and what the business men should hustle for, is one wharf and an appropriation big enough to deepen the harbor to 36 feet. One hundred thousand dollars will do this, and the money cannot be better spent.

—

AMARA CLAIM MAY BE KILLED

There is being aroused considerable discussion over the disposition that may be made of the petition of Mrs. Kekie Amara, administrator of the estate of Jesse Amara, for reimbursement for losses during the plague fire. The allegations of those who favor the claim are that the failure to have it properly filed before the Fire Claims court was due to the detention of letters in the mail so that the statute of limitation in the bill ran against the claim.

The subject was referred to a special committee which has made some progress with the investigation of the matter. It is said that the claim was presented too late by an attorney, who it is claimed might readily have put it before the court, had it not been overlooked.

The broader question however is the propriety of reopening fire claims matters. One member will argue that no appropriation can be made as the provision for the payment involves new legislation. The point seems to be that the Legislature having put all these matters in the hands of a court, and to take them out of that category, there could be necessary legislation at a regular session of the Legislature. One attorney believes that the only course would be to create the fire claims court once more for the discussing of this claim, if it would be put on all fours with others of the same nature. It seems likely that the House may refuse to reopen the question of fire claims, for if it does there will be several dozen rushed in.

MOTHER AND CHILD

Scott's Emulsion is cod liver oil made almost as palatable as milk. It is easy and soothing to the weak stomach; it checks the tendencies of children toward thinness.

Scott's Emulsion gives strength to weak mothers because it creates healthy flesh and new blood.

Nursing mothers will find a special value in Scott's Emulsion because it insures a flow of rich, nourishing milk for the baby. More and better than a medicine; Scott's Emulsion is a food.

Scott's Emulsion is not a mere extract, containing imaginary "active principles" which do not exist, but is full of actual nourishment which sustains vital force and builds up the body tissues more rapidly than any other known remedy.

We'll send you a sample free upon request.

SCOTT & BOWNE, 409 Pearl Street, New York.

German Empress an Artist.

It is not generally known that the German empress is a sculptor and painter of more than usual ability. In her husband's study at Potzdam there is a most lifelike bust of the emperor in bronze, while several of the young princes have also been reproduced in marble. Many sketches and paintings by the empress adorn the walls of the palace.

LOCAL BREVIETIES.

(From Wednesday's Daily.)

The Board of Health is scheduled to meet today.

Mrs. Annie Montague Turner has an attack of the dengue fever.

The grand jury reported two indictments yesterday but both were placed on the secret file.

Treasurer Kepolka visited the bankers yesterday with the proposed new territorial bonds. They will probably be made payable both in Honolulu and New York.

Owing to the necessary absence of High Sheriff Brown from the city for a few days, the cases against Mrs. Turk and Miss Mahel Lyle, set for Friday, have been continued until Saturday.

There was another big crowd of Chinese yesterday who collected their money in the Chinese fund, and Secretary Carter is beginning to think that the secretary's office is a much bigger undertaking than he supposed.

Jardin, a Punchbowl grocer, pleaded guilty in Police Court yesterday to a charge of selling liquor without a license, and was fined \$150 and costs. Goto, a Japanese, was fined \$500 on the same charge, and Henry Kaaiailili was assessed a similar amount.

Wladislaus Trembinski, a Russian, was arrested yesterday afternoon, and held for investigation in connection with the robbery of \$3,500 from Mrs. Nurkewich of Miller street. Mrs. Nurkewich found some of her missing money near her residence yesterday morning.

Senator Palmer R. Woods says that the statement that he turned in the call for the police wagon, which resulted in the arrest on Monday evening of the Chinese who broke the nose of the Hawaiian who refused to pay a bill, is incorrect, as he spent the evening at Waikiki, and was not downtown, consequently could not have turned in the alarm. The error occurred through the police making a mistake in the name of their informant.

(From Thursday's daily.)

A number of appeals from the District Court were filed yesterday. Judge Estee made an order yesterday adjudging the C. F. Herrick Carriage Co. a bankrupt.

Mrs. E. K. Wilder received a cable yesterday from Miss Helen Wilder saying she had arrived at San Francisco safely.

A lot in Makiki, 5,000 square feet, was sold at auction yesterday by the Department of Public Works to Mrs. S. C. Allen for \$150. The upset price was \$720.

Bryon J. K. Baird yesterday filed an application for the issuance of letters of administration upon the estate of his father, the late J. C. Baird, United States Attorney.

Professor A. Koebel was a passenger on the Ventura for San Francisco where he has gone on a search for health. On his return from a two months' vacation he will go to Australia.

L. L. McCandless has filed a protest against granting Lualualei lands to J. M. Dowsett on the ground that he is not an American citizen. The matter has been referred to the Attorney-General by Supt. Cooper.

An Irishman named Hanlon an offhand harangue on the Capitol steps yesterday morning in which he said that Liliuokalani was a great and good woman and that the palace should be returned to her for a residence.

The Senate committee has investigated the items referred to it pertaining to the Board of Health, and will make a report to the Senate today. The committee will recommend an allowance to the lepers of twenty-three pounds of palai instead of twenty-five as fixed by the House.

Miyama was put on trial yesterday before a jury in Federal court on a charge of importing women for purposes of prostitution. He is defended by J. W. Cathcart.

Subpoenas for twenty persons, in connection with the Turk case, were made out yesterday afternoon and will be served this afternoon, so Deputy Sheriff Chillingworth states.

Governor Dole yesterday pardoned Joaquin Silva, a Portuguese, who was convicted in the Circuit Court on February 5, 1903, of illicit distilling, and sentenced to three months' imprisonment and to pay a fine of \$250.

Secretary Carter is still overrun by Chinese who want the Chinese fund deposits. Yesterday he placed under arrest one man who was believed to be impersonating another in order to get the money. Carter believes that there have been a number of fraudulent applications by Chinese.

Supt. Cooper yesterday opened bids for a seven-ton and five-ton roller. They were as follows: Grimwood, Richardson & Holloway, \$2,200 and \$2,490, both \$2,887 and \$2,197, delivered in seventy days; W. E. Rowell, \$2,650 and \$2,050, delivered in five months; Henshaw, Buckley & Co., \$3,715 for seventeen delivered in sixty days; Julius Scholz & Co., \$2,993 and \$2,337.

CONSUMPTION which is the most dangerous and fatal disease, has at its first indication a persistent cough and if properly treated as soon as this cough appears is easily cured. Chamberlain's Cough Remedy has proven wonderfully successful and gained its wide reputation and extensive sale by its success in curing the disease which causes coughing. It always cures and cures quickly. All Dealers and Drugists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

TIDE, SUN AND MOON.

Barometer corrected to 32 F. and sea level, and for standard gravity of Lat. 45. This correction is .06 for Honolulu.

Last quarter of the moon on the 19th. Times of the tide are taken from the United States Coast and Geodetic Survey tables.

The tides at Kahuui and Hilo occur about one hour earlier than at Honolulu. Hawaiian standard time is 10 hours 30 minutes slower than Greenwich time, being that of the meridian of 157 degrees 30 minutes. The time whistle blows at 1:30 p. m., which is the same as Greenwich, 9 hours 6 minutes. Sun and moon are for local time for the whole group.

Among the Ventura passengers from the Colonies was N. C. Hopper, a fast American bicyclist, who was victorious in the Colonies in nearly every big meet. On April 13 he was the winner of the greatest bicycle race ever held at Sydney. Major Taylor, the colored American rider, and M. Walker, an Australian, were in this race, and Hopper was not even taking on bets. He was surprised to the Colonies. He captured a prize of 1000 pounds sterling.

Dyspepsia

What's the use of a good cook if there's a bad stomach—a stomach too weak properly to digest what is taken into it?

COOPER IS ORDERED TO GIVE UP WHARVES

W WAR ON MILK MEN Vendors of Poor Milk Will Be Arrested.

(From Thursday's daily.)

A new war is to be inaugurated on milk dealers who sell watered or adulterated milk, by the Board of Health. When the report of Food Commissioner Shorey was read to the board yesterday, Mr. F. C. Smith called attention to some of the names of milk men who had been posted for years as selling bad milk. Executive Officer Pratt stated that Mr. Shorey was preparing to prosecute under the new law passed by the Legislature.

The list of dealers selling milk which was below standard was larger in April than for some months previously. Food Commissioner Shorey lists them as follows:

Samples found below standard gave on analysis the following figures and were obtained from the sources noted:

	Total Butter	solids.	fat.
S. Nobriga	10.9	2.4	
S. Nobriga (2 samples)	10.9	2.4	
Noyo for A. Lopez (1 sample)	11.1	3.0	
V. Souza	11.1	2.7	
V. Souza (2 samples)	10.9	3.1	
V. Souza (3 samples)	10.5	2.8	
Tavares (1 sample)	10.6	2.8	
Kapena (1 sample)	9.9	2.4	
Jagint for Manoa Ranch (1 sample)	11.0	3.0	
Japanese for G. Holt	10.7	3.0	
Japanese for G. Holt (2 samples)	11.0	3.0	
Marquis for Vivas	10.8	3.0	
Marquis for Vivas (2 samples)	11.0	3.1	
A. Ludioff (1 sample)	11.0	2.2	
A. de Costa (1 sample)	11.3	2.6	
Owl Lunch Room (sample)	11.0	2.6	
Fashion Restaurant (1 sample)	10.8	2.6	
Private Complaint	11.0	2.0	
Private Complaint (2 samples)	10.2	1.5	

BAD FOOD DESTROYED.

A considerable portion of the month was spent in work outside the laboratory: inspection of grocery stores, etc. The only food samples other than milk examined being one sample of cheese and one sample of chocolate candy, no adulteration being found, and eleven samples of miscellaneous canned groceries taken from auction rooms. In the latter case all were found to be more or less decomposed and the lot from which samples were taken, 50 tons in all, was condemned and destroyed. The collection included salmon, oysters, clams, condensed milk, mushrooms and asparagus.

SELLING POISONS.

Many complaints having been made to me regarding the indiscriminate sale of such poisons as morphine and cocaine by Japanese druggists, I made some investigation of the matter and succeeded in making a purchase of cocaine hydrochlorate from Y. Iishi, Nusan street, the same being delivered to me without a poison label and without any inquiry being made as to use to be made of it or any registration of the sale.

My first intention in the matter was to make complaint for violation of Act 34 Session Laws 1898, sale of adulterated drug as described in Section 3 (a), (4) but I found that Chapter 88, Penal Laws, was much more specific regarding the sale of poisons and thought it best to charge under that chapter. The defendant was fined \$250 and has appealed.

Work for other department of the government was as follows: One analysis of stomach contents for Police Department; ten tests of kerosene for flashing point and three tests of crude petroleum for flashing point for Department of Public Works.

A bill covering the amendments to the food and drug bill approved by the Board was passed by the Legislature and approved by the Governor April 28th.

Respectfully,

E. C. SHOREY,
Food Commissioner.

BOTH HOUSES DO HARD WORK UPON APPROPRIATION.

(Continued from page 1.)

908 \$1; commission on labor to Cotton Bros., \$5,597.71. Fernandez moved to strike out as no Legislature had ever authorized this expense.

Aylett argued that the wharf should be paid for, saying he would be delighted if there was sufficient money, so that all the water front could be purchased for the Territory, saying these were good investments, he favoring the item in the bill.

Paisi asked for an amendment and urged the reduction of the amount.

Greenwell moved to amend by cutting the amount to \$100,447.97, saying instead of twenty-five per cent for the contractors he wanted only ten per cent.

The committee rose however and the House adjourned, though an effort was made to secure a recess.

IN THE SENATE.

Senator McCandless presented the report of the Special Committee on health items. The committee recommended the passage of the three items for segregation of lepers, as in the bill instead of in a lump sum. The panel

ration was recommended to be pounds. A reduction in the item for Queen's Hospital from \$12,500 to \$10,000 was recommended, as was also a change in the item of \$1,200 for passenger subsidy to pay freight on parcels for lepers.

The passage of the item of \$5,000 for telephone system at the settlement was recommended with a proviso that it be made to connect with the wireless on Molokai. The report was laid on the table to be considered with the bill.

AFAIR OF THE HOUSE.

When the House expense bill was called up Senator Achi moved to defer consideration saying the Senate should go slow and find out about the House's action on the Senate bill. He said he wanted to be on the safe side of the fence and not permit the House to hold up the bill. "The way the business of this Legislature is going I am disgusted," said Achi.

Senator Woods remarked that if the House bill was passed at \$20,000 and no attempt at dictation made by the Senate there would be no more trouble.

BILL IS ILLEGAL.

Senator Baldwin said he had become convinced that the bill was illegally drawn and this was the opinion of both the Governor and Attorney General who contended that there should be a separate measure for unpaid bills of the last session, which should be itemized and go before the auditor. He claimed that the Legislature had no more right to pass a lump sum for unpaid bills of the previous session than for two years ago. Further the Legislature can not be considered to have been in continuous session, but this is a new session.

Senator Brown inquired about the legality of the appropriation for the special session of the Senate, and Baldwin replied that act was wrong also even though signed by the Governor.

Senator Baldwin stated further that the Governor would veto the bill as it was at present, and that the Attorney General would advise the auditor not to pay the bills when presented. He suggested that the best way was to itemize the unpaid bills and said he had spoken to members of the House in regard to the matter.

Senator Achi stated that the Senate in special session could not have passed an appropriation bill while the Legislature could have passed a bill for the payment of all its expenses at the regular session.

"Suppose we passed this bill over the Governor's veto," said Senator C. Brown, "could the Governor and Treasurer and Attorney General hold it up. That would be anarchy right away."

Senator Achi said that no law could be passed that is contrary to the Organic Act and that the treasurer could refuse to pay illegal bills.

"The only power on earth that can hold up the appropriation is the Supreme Court" Brown replied "and it cannot be done by any opinion of the Attorney General or the Governor. The only power that can set aside the law is the Supreme Court, the Legislature is supreme."

Achi replied that the attorney general could advise the treasurer not to pay and the action would be sustained by the Supreme Court.

Senator Baldwin said that Brown was right in saying that only the Supreme Court could set aside the law but that this would be a long process. He suggested that the quickest way to get the money was to pass a legal bill. Another objection to the bill was that it embraced two subjects, an appropriation for the present session and also one for the last session.

Brown said he would vote to postpone action for reasons of policy but not for anything suggested by Achi or Baldwin. He said he was right and that he didn't intend to back down for the Attorney General or Governor. "We have the only right to appropriate money" he said, "and we can decree in any way or manner that it shall be paid."

Senator Parisi suggested that the easiest way to get the money was to pass a proper bill.

The motion to postpone consideration was carried and the Ways and Means Committee was instructed to confer with the Finance Committee of the House and ascertain the wishes of that body.

Upon motion of Senator Dickey an item of \$700 was inserted for incidentals of the insurance department.

ENCOURAGING IMMIGRATION.

Senator Achi moved to increase the item of \$10,000 for advertising the resources of the islands to \$15,000, to include also the encouragement of emigration to Hawaii. He said the new immigration law was strict as to labor agents and that the government should undertake to bring in immigrants.

Senator Baldwin said that under the new law there could be no solicitation of labor, and that only Japanese could be brought here under existing conditions. He said the country was already filled with these people, a class of labor which he didn't consider desirable. He suggested that it would be better to bring different nationalities to the islands and said some of them were more desirable as immigrants.

The motion to increase to \$15,000 was carried.

A new item of \$850 was inserted for the purchase of piano and furniture for the new kindergarten.

MONEY FOR WHARVES.

Senator Baldwin called attention to the fact that no provision had been made for repairs to wharves in Honolulu, and Senator Achi moved to insert an item of \$25,000 for that purpose. On motion of McCandless it was increased to \$50,000 and carried.

On motion of Senator Baldwin the word "building" was stricken out of the appropriation for St. Louis fair, so that the money will not need to be spent for that purpose if some suitable exhibition place is obtained.

Senator Ienberg suggested that the agricultural appropriation be placed in a lump sum as desired by the commissioners, as the department was a new one and should not be hampered in its work. The motion was withdrawn and will be proposed again on third reading.

Senator McCandless presented the report of the Special Committee on health items. The committee recom-

Judge De Bolt Grants Writ of Mandamus Upon Application of Andrews.

Judge De Bolt issued an alternative writ of mandamus yesterday directing Hon. Henry E. Cooper, as Superintendent of Public Works, to deliver over to the Board of Public Institutions all wharves and buildings mentioned in the county act, or to appear and show cause on June 2 why this should not be done.

The writ was issued in the morning upon the application of Attorney General Andrews. The next move in the county test case will be the filing of a motion to quash the writ by Superintendent Cooper. G. A. Davis is his attorney. The points of illegality claimed by Cooper in his letter to the Governor will be set out in the motion, and it's expected to get a decision early enough to permit of the presentation of the appeal to the Supreme Court at the June session.

The writ of mandamus granted by Judge De Bolt, which contains also the substance of the petition, is as follows:

To Henry E. Cooper, Superintendent of Public Works.
Greetings:
I.

Whereas it has been represented to me as Judge of the Circuit Court of the First Circuit that Sanford B. Dole, Governor; Geo. R. Carter, Secretary; A. N. Kepoikai, Treasurer; J. H. Fisher, Auditor; A. T. Atkinson, Superintendent of Public Instruction. LORRIN ANDREWS, Attorney General.

II.

That at all times hereinabove mentioned Henry E. Cooper, defendant above named, was the duly qualified and acting Superintendent of Public Works, and exercised the duties prescribed in Section 75 of the said Organic Act of the Territory of Hawaii.

III.

That on the 22nd day of April, 1903, the said Governor of the Territory of Hawaii approved an act of the Legislature of the Territory of Hawaii entitled "An Act providing for the Organization and Government of Counties and Districts, and the Management and Control of Public Works and Public Institutions therein," approved April 22, 1903, being Act 31 of the Session Laws of 1903. That at all times hereinabove mentioned the following persons were the duly qualified and acting officers of the Territory of Hawaii, and held the offices set opposite their respective names (under and by authority of an Act of Congress of the United States of America, entitled "An Act to provide for a Government for the Territory of Hawaii," approved April 30, 1900), as follows:

IV.

That by said act, Sec. 380, the Governor, Secretary, Treasurer, Auditor, Superintendent of Public Instruction and Attorney General of the Territory of Hawaii constitute and are known as the Board of Public Institutions. That by Sec. 433 of said act it became

That subsequent thereto on said date, said Geo. R. Carter being Secretary of the said County Act, demanded in writing from said defendant, Henry E. Cooper, as Superintendent of Public Works of the Territory of Hawaii, the possession and control of all matters relative to harbors, wharves, pilots and towage, and of all property used in connection therewith, and of the control, management and maintenance of the executive and judiciary buildings from May 1st, and that the Superintendent of Public Works is hereby requested to deliver up the control and furnish this board with an inventory of all the property thereof, and also a list of the employees connected therewith.

V.

That on May 1, 1903, four of the said officers met at the Capitol in Honolulu and organized said board.

VI.

That at a regular meeting of said board held at the Capitol at Honolulu on Monday, May 4, 1903, there were present the Governor, Secretary, Auditor, Superintendent of Public Instruction and Attorney General.

VII.

At said meeting the following motion was moved and seconded and carried by a unanimous vote.

That the Superintendent of Public Works be notified that under Sections 434 and 435 of the County Act, the Board of Public Institutions assumes the control, management and maintenance of the harbors, wharves, pilots and towage, and of the executive and judiciary buildings from May 1st, and that the Superintendent of Public Works is hereby requested to deliver up the control and furnish this board with an inventory of all the property thereof, and also a list of the employees connected therewith.

VIII.

That subsequent thereto on said date, said Geo. R. Carter being Secretary of the said County Act, demanded in writing from said defendant, Henry E. Cooper, as Superintendent of Public Works of the Territory of Hawaii, the possession and control of all matters relative to harbors, wharves, pilots and towage, and of all property used in connection therewith, and of the control, management and maintenance of the executive and judiciary buildings from May 1st, and that the Superintendent of Public Works is hereby requested to deliver up the control and furnish this board with an inventory of all the property thereof, and also a list of the employees connected therewith.

IX.

That on May 5, 1903, the said Henry E. Cooper, as Superintendent of Public Works, refused to surrender to the said Board of Public Institutions the control of harbors, wharves, pilots or towage, or of any property connected therewith, or the management or maintenance of the executive or judiciary buildings at Honolulu, or any part of said buildings, and since refused and still refuses so to do.

That the said Henry E. Cooper now exercises the management, control and maintenance aforesaid.

NOW THEREFORE, I, J. T. De Bolt, First Judge of the First Circuit of the Territory of Hawaii, being willing that due and speedy justice be done to the petitioners in this behalf, command you that after the receipt of this writ, you do, without further excuse or delay, deliver up to the petitioners, as constituents of the Board of Public Institutions, the control of all matters relative to harbors, wharves, pilots and towage, and of all property used in connection therewith, and also the control, management and maintenance of the executive and judiciary buildings at Honolulu, as prayed for in the petition in this cause, or that you do show cause why you should not do so before me at the Court House in Honolulu on the 2nd day of June, 1903, at 9:30 o'clock in the forenoon of that day. Herein fall not at your peril, and have then and there this writ.

Witness, the First Judge of the First Circuit Court this 21st day of May, A.D. 1903.

J. T. DE BOLT,
First Judge of the First Circuit, Territory of Hawaii.

the duty of the said board, immediately after the passage of the said Act, to organize, as prescribed therein, and that in accordance with the said act, Chapter 64, the said Board met and organized on May 1, 1903, in the office of the Governor of the Territory, at the Capitol in Honolulu.

That as soon as said board was organized, it became the duty of said board, under Sec. 434 of said County Act, to take control of all matters relative to harbors, wharves, pilots and towage, and all property used in connection therewith, and it became the duty of the Superintendent of Public Works to deliver the possession of all such property to the Territorial Board of Public Institutions. It likewise became the duty of said Board, under Sec. 435, to assume the control, management and maintenance of the executive and judiciary buildings at Honolulu.

V.

That on May 1, 1903, four of the said officers met at the Capitol in Honolulu and organized said board.

VI.

That at a regular meeting of said board held at the Capitol at Honolulu on Monday, May 4, 1903, there were present the Governor, Secretary, Auditor, Superintendent of Public Instruction and Attorney General.

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At said meeting the following motion was moved and seconded and carried by a unanimous vote.

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That the said Henry E. Cooper now exercises the management, control and maintenance aforesaid.</p

HOW THE REPUBLIC OF CUBA IS PROGRESSING

Predictions of Evil and What Came of Them. Surplus in the Treasury and Industrial Matters Looking Up.

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